

REMARKS

Claims 4-13, 20-28, 30-32 and 39 have been cancelled in accordance with the restriction requirement described in the Interview Summary communication of September 15, 2003.

The Examiner, in the Official Action, rejected claims 1-3 under 35 USC § 103(a) as being unpatentable over Sheridan (US Patent 5,760,917) in view of www.hotmail.com (hotmail) and further in view of History of Kodak Milestones – 1998 hereinafter as Kodak. In this regard, Applicants believe that there was a typo on the second page referring to the 1999 year for History of Kodak Milestones in that the PTO 892 form refers to the 1998 version and since the 1998 version does include a reference to AOL, whereas the 1999 does not. Accordingly, Applicants will direct any comments to the History of Kodak Milestones – 1998. If this is incorrect, Applicants request the Examiner to please advise.

The claims have been amended to clarify the present invention. Independent claim 1, as amended, is directed to a method of storing and viewing a collection of digital images. The method includes providing a plurality of users within the network for any of the users having to notify others in the group, each with a unique ID associated with an event URL, that identifies a network server provider and a share image storage location at the network service provider for sharing of images among a plurality of users without the need for the users having to notify any of the others of said users. The method further includes providing each of the plurality of users with a separate password associated with the unique user ID. At least one of the plurality of users transfers a set of digital images to the network image provider for storage using his/her user ID and password. Claim 1 further includes the viewing of the images located at the shared memory location when the user uses unique user ID and/or separate password.

Claim 1, as presently set forth, provides a number of distinct advantages over the prior art. Typically, when images are shared over a network system among a plurality of users, one of the users must forward some type of e-mail to the other party advising them that such images are accessible at the service provider. In the present invention, this is not required or used as each of the plurality of users have an event URL which identifies a share location where

images are to be stored. The users, with the use of a user ID and/or password, are able to access the images that have been provided for sharing. The system also allows the individual users to each have the ability for transferring digital images to the service provider, each employing their own separate user IDs and passwords. The separate URL and user ID and/or password allows each of the users to obtain access to the common shared memory location where images are shared yet at the same time allows controls of the images that a particular user provides to the service provider. This is all done without the requirement of the user having the need or requirement to send e-mails to other individuals advising them that the images are available for sharing or requiring the other party to have particular passwords to the sender's locally stored images at the photo service provider. Quite often, the plurality of users comprises a number of independent and/or unrelated contributors that provides images to the share memory location. Thus, the present invention has provided a unique method for sharing images among a plurality of different users which eliminates the need for any of the users having to electronically e-mail notification or provide user passwords for others to access images to be shared with that user.

The Sheridan reference is directed to a distribution system and method which is totally apart and distinct from the present invention. In the Sheridan reference, a user of the system is required to transmit images to a third party electronic address. See Abstract lines 8-9 from the bottom and column 5, lines 21-24. In the Sheridan reference, the first step for a user is to contact a hub station (see column 4, lines 49-50). A menu allows a user to select image signal sets to be shared with others (see column 4, lines 57-58). The user then selects a plurality of possible access rights (see column 4, lines 63-64). These access rights are stored at the hub station 201 in association with a corresponding third party electronic address and an access identification for that third party (see column 5, lines 10-13). It's only after this has been done that the images are automatically transmitted to the third parties (see column 5, lines 21-24). Thus, the Sheridan reference teaches away from the present invention as it requires a specific e-mail address for transmitting of a message to the third party for sharing of images. This is totally contrary to the present invention. In the present invention, a unique user ID and separate password allows the sharing of images stored at common share memory image storage location. This is not taught or suggested by

Sheridan. Further, neither of the secondary references teach or suggest this. The Kodak reference merely discloses an on-line system where individuals are able to order reprints and enlargements and to let friends and relatives have access to the images for viewing and ordering. There is no teaching or suggestion that this is accomplished without the need or requirement of sending an e-mail message.

Attached is a screen shot taken from a web site illustrating You've Got Pictures by AOL. As can be seen, the sharing of images occurs through the use of e-mailing them to friends and family or by inviting friends to view your albums or gifts. Here again, AOL requires some type of action by the user for notifying other users of the availability to access stored images. In the present invention, users are able to access the images independently and there is no requirement or necessity for providing any information by one user to any of the other users for allowing access for sharing of images. Thus, the AOL reference is also believed to be of little relevance. Accordingly, it is respectfully submitted that independent claim 1 is not taught or suggested by the cited prior art.

The Examiner has taken official notice on various aspects. In particular, the Examiner has taken official notice that it would have been obvious to one of ordinary skill in the art at the time the invention was made that on-line contact providers with limited access to general public requires users to register with the system. The URL is the Internet address which a user requires to access the system and for security reasons may require a password associating with the user ID to prevent unauthorized use. First, Applicants would like to state that the present invention is more than just a user registering with a system. What is registered is an event URL where various unrelated individuals may access the system. The official notice noted by the Examiner does not teach or suggest this. Further, in order to take this and combine it with the Sheridan reference, there must be some motivation, teaching or suggestion to do so. There must be some objective evidence in the record in which to base a motivation for suggestion or modification of more than one reference (see *in re Lee* 61 USPQ 2nd 1430). Accordingly, Applicants respectfully submit that the prior art does not teach or suggest the invention nor would it be obvious to make a modification as taught and suggested by the Examiner as there is no teaching or suggestion in order to make such modification.

The Examiner has also taken official notice that it would have been obvious to one or more skilled in the art at the time the invention was made to provide a user ID and password. Here again, there is no teaching or suggestion of modifying the Sheridan reference with the subject reference to arrive at Applicants' invention. As previously noted, the Sheridan reference does not teach or suggest the invention, nor could it provide the function to which the present invention is directed.

Accordingly, it is respectfully submitted that independent claim 1 is patentably distinct over the prior art for reasons set forth above. In addition, Applicants respectfully submit that dependent claims 2 and 3, which depend at least ultimately upon independent claim 1, are patentably distinct for the same reason.

The Examiner has rejected claims 14-19 and 29 under 35 USC § 103(a) as being unpatentable over Sheridan in view of Carson (US Patent 6,028,920) and further in view of an article by Liang-Wu Cai, NCSA, Kodak, SUSE, UOM and hotmail. Amended independent claims 14, 15 and 29 are similar to independent claim 1 in that it allows a plurality of independent users to access images wherein there is provided a URL that identifies a memory image storage location that can be used for accessing of images by the group of users. These claims also include a password which allows the access by each of the individual users. These claims further specifically recite the providing of a transaction card, support sheet or label having the appropriate readable URL and also providing the appropriate password. In these embodiments, there is provided a specific item to each of the users in a group for providing means for independently accessing the images to be shared at the shared memory image storage location without any assistance of the system or any of the other users in the share group. As previously discussed with Sheridan, the Sheridan reference clearly does not teach or suggest this as Sheridan requires the electronic mailing of notification initiated by a first user to the various users in order to permit sharing which is contrary to the present invention as previously discussed. Furthermore, there is no teaching or suggestion in Sheridan, the primary reference, of providing the transaction card or support sheet with the appropriate information. Quite the contrary, as previously discussed, the Sheridan reference is directed to using electronic messaging for providing of the appropriate

information for sharing of images. Thus, there is no teaching or suggestion of providing a transaction card or sheet in the Sheridan reference. The remaining references fail to teach anything that would teach or suggest the invention as set forth by Applicants. The Examiner has cited the official notice several times in that it would be obvious to provide certain features. As previously mentioned, the present invention is directed to a method whereby there is provided a system for allowing sharing of images among a plurality of individuals without the need for using e-mail for identification of the appropriate location in which the images may be accessed. The cited references fail to teach or disclose anything that would render applicants claims obvious.

Further, Applicants respectfully submit that it would not be obvious to combine 8 independent references in an attempt to arrive at Applicants invention. It is almost always possible to piecemeal Applicants invention. In order to render Applicants invention, there must be a motivation in the cited references to make the combination as taught and claimed by Applicants. See *in re Lee* previously cited. The 8 references cited by the Examiner are directed to various systems totally apart and independent inventions. There is no teaching or suggestion of making any of the combinations as suggested by the Examiner. Furthermore, even if the combinations were made, they still fail to teach or suggest the invention as set forth in independent claims 14, 15 and 29.

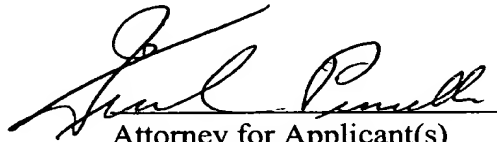
Accordingly, it is respectfully submitted that these claims and independent claims are also patentably distinct over the cited prior art.

With regard to independent claim 33, the Examiner has again relied on the Sheridan reference as the primary reference for rejecting the claim. Amended claim 33, as with the previously independent claims, is directed for providing access to images stored at a shared memory storage location, at a service provider among a plurality of users without the need for any of the group having to notify any of the others in the group. As previously stated, none of the other prior art references teach or suggest this. Accordingly, Applicants respectfully submit that claim 33, as with the previous independent claims, are patentably distinct over Sheridan for the same reasons previously discussed.

The remaining claims depend at least ultimately upon independent claim 33 and are patentably distinct for the same reason.

In view of the foregoing, Applicants respectfully submit that the claims in their present form are in condition for allowance and such action is respectfully requested.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Frank Pincelli", is written over a horizontal line. A long, thin checkmark is drawn to the right of the signature.

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